

REMARKS

Claims 1-10, 13, 14, 16-26, 29, 30, 32-43, 46, 47 and 49-57 are pending and under consideration. The listed claims stand rejected under 35 U.S.C. 102(e) as being anticipated by Stadler (US 2004/0172080).

As stated in 35 USC § 103(c)(1), "[s]ubject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person."

Applicants respectfully assert that as stated in 35 USC § 103(c)(1), since the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person, the cited Stadler reference does not constitute prior art. Accordingly, withdrawal of the rejection is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited. Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned attorney to attend to those matters.

Respectfully submitted,

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Date

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